

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DARRICK BELLMAN,

Plaintiff,

v.

THE COUNTY OF WAYNE, *et. al.*,

Defendants.

Case No. 12-13031

Honorable John Corbett O'Meara

SECOND ORDER OF PARTIAL DISMISSAL

Plaintiff Darrick Bellman filed a seven-count amended complaint in this matter May 16, 2013. Plaintiff alleges the following causes of action: Count I, violations of the U.S. Constitution; Count II, violations of 42 U.S.C. § 1983; Count III, violations of 42 U.S.C. § 1983; Count IV, violations of the Michigan Constitution; Count V, intentional infliction of emotional distress; Count VI, negligent infliction of emotional distress; Count VII, negligent hiring/training/retention of employment services/lack of protocol.

Although Plaintiff's causes of action arising under the United States Constitution and federal law are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations of the complaint are based solely on state law. This court declines to exercise supplemental jurisdiction over Plaintiff's state law claims in order to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); and Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Therefore, it is hereby **ORDERED** that Counts IV, V, VI and VII of the amended complaint are **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Date: July 31, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, July 31, 2013, using the ECF system.

s/William Barkholz
Case Manager